

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division

IN RE

SHARON STONE  
AKA SHARON DAWKINS STONE

Debtor

Case No. 10-32392-KRH  
Chapter 13

GREEN TREE SERVICING LLC  
1400 Turbine Drive  
Suite 200  
Rapid City, SD 57703

Movant

v.

WILLIE E. STONE  
2025 Lindsey Gabriel Drive  
Richmond, VA 23231

and

SHARON STONE  
aka Sharon Dawkins Stone  
2025 Lindsey Gabriel Drive  
Henrico, VA 23231

Respondents

Motion No.

**MOTION FOR RELIEF FROM AUTOMATIC STAY**

COMES NOW, Green Tree Servicing LLC, its successors and/or assigns, movant, by its attorneys, Mark D. Meyer, Esq., and Rosenberg & Associates, LLC, and respectfully represents as follows:

1. Jurisdiction is based on 11 U.S.C. Section 362(d)-(f) and 1301.

2. On or about April 2, 2010, Sharon Stone aka Sharon Dawkins Stone ("Debtor") filed a Voluntary Petition in the Court under Chapter 13 of the Bankruptcy Code.

3. Carl M. Bates is the Chapter 13 trustee of the Debtor's estate.

4. Willie E. Stone ("Co-Debtor") is a co-debtor on this Note.

5. At the time of the initiation of these proceedings, the Debtor owned a

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FILE NUMBER: 46594

parcel of fee simple real estate improved by a residence with a legal description of "Lot 30, Block A, Section A, Midview Farms, Section A, Henrico Cnty, VA in Plat Book 122, Page 199" also known as 2025 Lindsey Gabriel Dr, Richmond, VA 23231 (hereinafter "the subject property").

6. The subject property is encumbered by a Deed of Trust securing the note, which is currently held by the movant. The Promissory Note has been transferred from NVR Mortgage Finance, Inc. to Green Tree Servicing LLC. The documents evidencing the movant's security interest are attached hereto.

7. The total amount due under the Deed of Trust securing the Movant as of October 28, 2013, including attorney's fees and court costs, is approximately \$342,626.97.

8. The Debtor is in default under the Deed of Trust, and the Movant has accelerated the entire balance of the Note and Mortgage and interest continues to accrue.

9. The Debtor has not made post-petition payments for the months of December 1, 2012 to October 1, 2013, and equity in the Debtor's residence is dissipating.

10. The Movant lacks adequate protection of its interest in the subject property.

11. The Movant has been and continues to be irreparably injured by the stay of Sections 362 and 1301 of the Bankruptcy Code, which prevents the Movant from enforcing its rights under the Note and Deed of Trust.

12. Cause exists for lifting the automatic stay imposed by Sections 362 and 1301 of the Bankruptcy Code to enable the Movant to enforce its rights under its Note and Deed of Trust.

WHEREFORE, the Movant, Green Tree Servicing LLC its successors and/or assigns, respectfully requests that this Honorable Court:

1. Enter an order terminating the automatic stay imposed by Sections 362 and 1301 of the Bankruptcy Code to enable it to proceed with a foreclosure sale of the real property and improvements located at 2025 Lindsey Gabriel Dr, Richmond, VA 23231; and

2. Grant such other and further relief as may be just and necessary.

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/s/ Mark D. Meyer, Esq.

Mark D. Meyer, Esq.  
Rosenberg & Associates, LLC  
7910 Woodmont Avenue, Suite 750  
Bethesda, Maryland 20814  
(301) 907-8000

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on October 28, 2013, a copy of the foregoing Motion for Relief from the Automatic Stay was mailed, first class postage prepaid, upon the following who were not served electronically:

Willie E. Stone  
2025 Lindsey Gabriel Drive  
Richmond, VA 23231

Carl M. Bates, Trustee  
P.O. Box 1819  
Richmond, VA 23218

Sharon Stone  
aka Sharon Dawkins Stone  
2025 Lindsey Gabriel Drive  
Henrico, VA 23231

Richard James Oulton, Esquire  
The Debt Law Group, PLLC  
2800 N Parham Road, Suite 100,  
Henrico VA 23294

/s/ Mark D. Meyer, Esq.

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